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Attorney for Debtor-in-possession Daniel Edstrom

IN THE UNITED STATES BANKRUPTCY COURT
IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:)	Case No.: 2012-29353-B-7
)	DC No.: JHH-70
DANIEL MAJOR EDSTROM,)	
)	Date: February 3, 2015
Debtor-in-Possession)	Time: 9:30 a.m.
)	Courtroom No: 32
)	Judge: Hon. Christopher Jaime
)	
)	United States Courthouse
)	501 I Street, 6 th Floor
)	Sacramento, CA 95814
)	

DECLARATION OF DANIEL EDSTROM IN SUPPORT OF DEBTOR'S REPLY TO
CREDITOR U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR RASC 2005-
EMX4 RESPONSE TO DEBTOR'S OBJECTION TO PROOF OF CLAIM 6-1

I, DANIEL MAJOR EDSTROM, declare as follows:

1. I am the Debtor DANIEL MAJOR EDSTROM (“Debtor”) in the above-captioned bankruptcy case. I make this declaration in that capacity, and if called upon to do so, could and would testify of my own personal knowledge to the facts set forth herein.

2. All factual testimony made by me is true and correct to the best of my knowledge and belief. All opinion testimony made by me is beyond a reasonable degree of certainty based on my knowledge and expertise.

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1 3. I filed an Objection to Claim 6-1 that included my declaration of facts specifically
2 in support of my objection to Claim 6-1. I fully incorporate that declaration into this declaration
3 in order to conserve resources. See Docket Item No. (“DKT”) 267.

4 4. I am familiar with and have reviewed Claim 6-1, my objection to Claim 6-1 (see
5 DKT’s 265-269), and US Bank, NA as Trustee for RASC 2005-EMX4’s (“2005-EMX4”) response to my objection (“Response”) (DKT’s 275-276). I am familiar with and have reviewed
6 the Notice of Withdrawal of Proof of Claim No. 6-1 by 2005-EMX4 (“Claim Withdrawal”), see
7 DKT “doc” and DKT 274 (both filed on January 20, 2015).

8 5. It is my opinion that at this point, as its response to my objections to Claim 6-1,
9 the purported withdrawal of Claim 6-1 means that 2005-EMX4 has admitted it has no valid
10 claim against me or my bankruptcy estate and so have abandoned their contention to hold any
11 claim(s) of any amount against me, my property and the property of the bankruptcy estate.

12 6. My review of the Response shows that 2005-EMX4 failed to respond to any of
13 my objections and factual statements. In fact the Response wasn’t accompanied by any evidence
14 at all except the attached Claim Withdrawal. Most, if not all of the statements in the Claim
15 Withdrawal were not supported by any evidence at all.

16 7. I do not consent to the withdrawal of Claim 6-1 without my objections being
17 heard or without notice and a hearing to withdraw the claim. My objection to Claim 6-1 is based
18 not only on the filed Proof of Claim (Proof of Claim 6-1), but the actually alleged claim, which
19 is that money is claimed to be owed to 2005-EMX4 on an obligation in which it alleges that a
20 security interest exists against the real property commonly described as 2690 Brown Bear Court,
21 Cool, CA 95614.

22 8. My objection to Claim 6-1 is based on numerous facts, including, among other
23 things, the fact that Claim 6-1 was filed late in the Chapter 11, is a false claim, is unenforceable
24 and 2005-EMX4 has no pecuniary interest. My objection states that 2005-EMX4 is not a creditor
25 and specifically not a secured creditor.

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1 I declare under penalty of perjury that the foregoing is true and correct. Executed on
2 January 27, 2015 at Cool, California.

3 Dated: January 27, 2015

4 By: /s/ Daniel Major Edstrom
5 Daniel Major Edstrom, Declarant
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